

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

‘O’

Case No. 2:17-cv-00259-CAS(JCx) Date August 16, 2017

Title JOSE ESTRADA v. SOUTH STREET PROPERTY, LLC

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (IN CHAMBERS) - PLAINTIFF’S REQUEST FOR AMENDED JUDGMENT (Dkt. 16, filed August 14, 2017)

On January 12, 2017, plaintiff Jose Estrada filed this suit against defendant South Street Property, LLC, alleging that certain of defendant’s facilities violate the Americans with Disabilities Act, 42 U.S.C. §§ 12101, et seq., and the Unruh Civil Rights Act, Cal. Civ. Code §§ 51–53. Dkt. 1. The gravamen of plaintiff’s complaint is that defendant’s failure to remove architectural barriers from its property caused plaintiff to suffer discrimination, due to his disability.

On August 7, 2017, the Court held oral argument on plaintiff’s motion for default judgment and distributed a tentative order that would have granted default judgment and awarded attorneys’ fees pursuant to Local Rule 55-3. Plaintiff requested that the Court calculate reasonable attorneys’ fees using the lodestar method rather than rely upon Local Rule 55-3. However, the Court was unable to discern whether the time spent on this matter was reasonable because counsel has not stated the number of hours expended on any single task. Accordingly, the Court ordered plaintiff to file a supplemental declaration no later than August 10, 2017, stating: (1) how much time was expended meeting with the client, (2) how much time was expended conducting a site inspection, and (3) how much time was spent preparing, reviewing, and filing documents with the Court. Dkt. 14.

Because plaintiff did not timely file this supplement, the Court granted plaintiff’s request for default judgment on August 11, 2017 and awarded attorneys’ fees pursuant to Local Rule 55.3. Dkt. 15.

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On August 14, 2017, plaintiff filed a supplemental declaration detailing the hours that counsel worked, in accordance with the Court’s order. Dkt. 16. Plaintiff thus requests that the Court amend its award of attorneys’ fees. Id. Having reviewed the supplemental declaration, the Court finds that counsel’s rates are reasonable but concludes that it is appropriate to award fees for only 5.8 hours of the work performed. Accordingly, the Court amends its August 14, 2017 judgment to award plaintiff \$2,442.50 in attorneys’ fees (instead of \$600).

In accordance with the foregoing, the Court amends its August 14, 2017 judgment and awards plaintiff \$4,000 in statutory damages, \$2,442.50 in attorneys’ fees, and \$420 in costs—totaling \$6,862.50

IT IS SO ORDERED.

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CMJ